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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF MICHAEL B.
SHORTNACY IN SUPPORT OF
STIPULATED REQUEST FOR ORDER
EXTENDING TIME FOR DEFENDANTS
UBER TECHNOLOGIES, INC. AND
RAISER, LLC TO PROVIDE CERTAIN
PRIVILEGE LOGS**

This Document Relates to:

ALL ACTIONS

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

1 I, Michael B. Shortnacy, declare as follows:

2 1. I am a partner with the law firm of Shook, Hardy & Bacon LLP, attorneys of record for
3 Defendants Uber Technologies, Inc., Raiser, LLC, and Raiser-CA, LLC (collectively, “Uber”). I am a
4 member in good standing of the Bars of the State of California, the State of New York, and the District
5 of Columbia. I make this declaration in support of the accompanying Stipulated Request for Order
6 Extending Time for Uber to Provide Certain Privilege Logs.

7 2. On September 6, 2024, this Court entered an order requiring Uber to produce certain
8 documents and related privilege logs by September 15, 2024 for nine agreed upon custodians. (ECF
9 1622) (the “Order”).

10 3. The parties have met and conferred, and have agreed that Uber should be permitted a brief
11 extension of the September 15 deadline for Uber to produce privilege logs for seven of the nine
12 custodial files at issue in the Order. Uber will produce two of the nine privilege logs in compliance
13 with the Order, on September 14 and 15, respectively.

14 4. Specifically, the parties have agreed that Uber may have an additional 10 days, until
15 September 25, 2024 to produce privilege logs for the seven remaining agreed upon custodians.

16 5. This extension is warranted for the following reasons:

17 a. Uber will comply with the Court’s Order to produce documents for the nine agreed
18 upon custodians by September 15, 2024.

19 b. Uber will comply with the Court’s Order to produce privilege logs for the two
20 custodians with depositions in September or early October (Katy McDonald, scheduled
21 for September 25, 2024 and Andi Pimentel, previously scheduled for October 3, 2024,
22 but with a new date to be agreed by the parties on account of a religious holiday).

23 c. In light of the volume of records involved in the productions, and despite its diligent
24 work and effort to complete all nine privilege logs in a timely manner, Uber requires
25 additional time to complete the privilege logs of seven of the agreed custodians.

26 d. Five of the seven custodians do not have depositions currently scheduled. And the other
27 two custodians have depositions scheduled in late October (Troy Stevenson, scheduled
28

on October 21, 2024 and Roger Kaiser, scheduled on October 28, 2024, *i.e.*, roughly one month after the proposed new production date for the privilege logs).

6. Pursuant to L.R. 6-2(a)(2), I inform the Court of the following requests for time modifications in this case, though none of the following relate to the Order (*i.e.*, there have been no other or prior requests to modify the Order): *See* ECF 198 (Extension of Time to Submit Joint or Competing Proposed Orders and Fact Sheets); ECF 209 (Extension of Time to File Response to Administrative Motion to Consider Whether Another Party's Material Should be Sealed); ECF 223 (Extension of Time in Which to Submit Proposed Privilege Log Orders and Proposed Fact Sheets); ECF 247 (Stipulation Extending Time to Submit a Joint or Competing ESI Protocol); ECF 252 (Stipulation and Order re Extending Briefing Schedule); ECF 264 (Shortening Time for Uber's Response to Motion to Enforce PTO No. 5); ECF 285 (Stipulation Extending Time to Submit Joint or Competing Deposition and Expert Discovery Protocols); ECF 297 (Stipulation Extending Time for Defendants' Rule 26 Initial Disclosures); ECF 315 (Stipulation and Order Extending Time for Proposals Regarding Short Form Complaints); ECF 335 (Stipulation and Order Regarding Extending Briefing Schedule for Terms of Use Motion); ECF 353 (Extension of Deadline for Compliance with the Court's March 15 Order).

7. The brief extension request, relating to privilege logs for seven custodians, will have no impact on the schedule of the case.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 13th day of September 2024, in Los Angeles, California.

/s/ Michael B. Shortnacy

Michael B. Shortnacy